

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-000125

12/12/2012

HON. SAM J. MYERS

CLERK OF THE COURT

D. Ruelas

Deputy

IN RE THE MATTER OF
KEITH ELLIOTT

KEITH ELLIOTT
13235 N 21ST PL # 12
PHOENIX AZ 85022

AND

GLEND A HAKE

GLEND A HAKE
3931 W CAMINO ACEQUIA
PHOENIX AZ 85051

AZ DEPARTMENT OF VITAL
RECORDS
DOCKET-FAMILY COURT CCC
FAMILY COURT SERVICES-CCC

MINUTE ENTRY

Courtroom CCB – 603

9:12 a.m. this is the time set for Resolution Management Conference. Petitioner/Father, Keith Elliott, is present on his own behalf. Respondent/Mother, Glenda Hake, is present on her own behalf.

A record of the proceedings is made by audio and/or video in lieu of a court reporter.

Keith Elliott and Glenda Hake are sworn.

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The parties advise the Court that they have reached certain agreements, which are dictated into the record.

Both parties testify that the agreements stipulated to on the record are their agreements, that they understand the agreements and believe them to be in the minor child's best interests at this time, and that the terms are fair and equitable.

THE COURT FINDS that the agreements reached by the parties this date are in the minor child's best interests, are fair and equitable, constitute a binding agreement under Rule 69 of the Arizona Rules of Family Law Procedure (ARFLP), are adopted as an Order of the Court, and are immediately enforceable as such.

Pursuant to the stipulation of the parties,

THE COURT FINDS that Keith Elliott is the natural father of the minor child, Benjamin Hake, born on March 27, 2008, to Glenda Hake.

IT IS ORDERED declaring Keith Elliott is the natural father of the minor child, Benjamin Hake, born on March 27, 2008, to Glenda Hake.

For the above-named child born in the State of Arizona, the Clerk of the Court shall send a copy of this Judgment/Order to the Office of Vital Records, Department of Health Services, which shall amend, pursuant to A.R.S. §36-323 and/or §36-337, the birth certificate of the children to include Keith Elliott as the natural Father.

PRE-DECREE MEDIATION

IT IS ORDERED the parties are referred to Conciliation Services for Mediation of child custody and/or parenting-time issues, as appropriate. The parties shall comply with all instructions and directives issued by Conciliation Services.

IT IS FURTHER ORDERED that each party is directed to immediately go to Conciliation Services and complete necessary forms following this hearing. This Court has contacted Conciliation Services and set the Mediation for **January 24, 2013 at 1:30 p.m.** in Conciliation Services.

WARNING

YOU WILL HAVE TO PAY A \$200 FEE IF YOU DO NOT ATTEND THE MEDIATION SESSION. IF YOU CANNOT ATTEND, BOTH PARTIES MUST NOTIFY

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CONCILIATION SERVICES AND RECEIVE PERMISSION TO RESCHEDULE AT LEAST THREE FULL COURT DAYS BEFORE THE SESSION.

IF YOU REACH A FULL AGREEMENT ABOUT CUSTODY AND PARENTING TIME AND DO NOT PLAN TO COME TO THE MEDIATION SESSION, BOTH PARTIES MUST NOTIFY CONCILIATION SERVICES AS SOON AS POSSIBLE OF THE SETTLEMENT TO AVOID PAYING THIS FEE.

TRIAL SETTING

IT IS ORDERED setting Trial to the Court on **March 5, 2013 at 10:00 a.m. (1 hour allotted)** in this division before:

**The Honorable Sam J. Myers
Maricopa County Superior Court
Central Court Building
201 W. Jefferson
6th Floor, Courtroom 603
Phoenix, AZ 85003**

Failure of a party to appear may result in the court allowing the party who does appear to proceed by default. Failure of both parties to appear may result in this action being dismissed.

IT IS FURTHER ORDERED:

1. **Time Allotted.** Pursuant to Rule 77(C)(5), Arizona Rules of Family Law Procedure, each party presumptively will be allowed half of the available time to present all direct, cross and redirect examination and any argument. For each hour of trial time, this court generally allocates 25 minutes to each party. The parties are expected to complete the trial in the allotted time. If a party believes that more trial time is needed, he or she must file a motion at least 30 days before the trial setting forth good cause to enlarge the trial time. Failure to timely file such a motion will be deemed a waiver of any argument that more trial time is needed.

2. **Pretrial Statements.** The parties shall file and provide this Division with a copy of a **Joint Pretrial Statement** or **Separate Pretrial Statements** pursuant to Rule 76, Arizona Rules of Family Law Procedure, no later than 5 days before trial.

The Pretrial Statement shall include:

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- a. All information required by Rule 76.
- b. A description of each disputed issue the court must decide, and a statement of each party's position on that issue. Absent good cause shown, failure to list an issue in the Pretrial Statement will be deemed a waiver of that issue.
- c. If there are disputed custody or parenting time issues, a specific proposal for custody and parenting time.
- d. If there are disputed child support issues, a current Parent's Worksheet for Child Support Amount completed by each party.
- e. If there are disputed issues regarding property and debt, a detailed Inventory of Property and Debts, including each party's proposed division of property and debts.
- f. If spousal maintenance is requested and disputed, each party shall state the amount and duration of spousal maintenance requested.
- g. A list of witnesses to be called at trial. Absent good cause shown, failure to list a witness will result in that witness being excluded.
- h. A list of exhibits to be used at trial. Absent good cause shown, failure to list an exhibit will result in that exhibit being excluded.
- i. A list of objections to the other party's exhibits. Any objection not listed in the Pretrial Statement will be deemed waived.

3. **Trial Exhibits.** Exhibits for use at trial shall be delivered to the Clerk of this Division at least **five (5) business days** before trial for marking, not including weekends, holidays or the day of the proceeding. **If exhibits are not delivered to the Clerk five business days in advance, you may be required to use trial time for the marking of exhibits.** In addition, each party shall deliver a copy of his/her exhibits to the opposing parties at least five business days before trial. Duplicate exhibits shall not be presented.

This Division requests that counsel and the parties **DO NOT PROVIDE** a copy of exhibits to the judge on the day of the trial.

4. **Settlement.** Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the court as required by Rule 70, Arizona Rules of Family Law Procedure. If the parties reach a full settlement before trial, the court will vacate the trial

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only if (1) it receives a Notice of Settlement pursuant to Rule 70, Arizona Rules of Family Law Procedure, or (2) both parties inform the court of the settlement in an on-the-record telephonic conference. Oral notification to court staff or voicemail messages left with the court are insufficient. If the parties desire to place agreements on the record, they should contact this Division to schedule a telephonic conference.

5. **Continuances.** Motions to continue the trial filed more than 30 days before trial will not be granted absent a showing of good cause. Motions to continue the trial filed less than 30 days before trial will not be granted absent a showing of extraordinary circumstances.

6. **Disclosure and Discovery.**

a. Both parties shall complete all disclosure required by Rules 49, 50 and 91, Arizona Rules of Family Law Procedure, including an exchange of all relevant information, documents and exhibits at least 30 days prior to trial.

b. All depositions and discovery contemplated by Rules 49 through 65, Arizona Rules of Family Law Procedure shall be completed 15 days before trial.

7. **Discovery And Other Pre-Trial Disputes.** If the parties have a dispute concerning discovery matters, or any other pre-trial dispute that requires court intervention, they may contact this division to schedule a telephonic conference before filing formal discovery motions. Before such telephonic conference, counsel or the parties shall personally consult with each other to either resolve the dispute or narrow the issues.

8. **Trial Record.** All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division five (5) business days before the scheduled hearing.

9:43 a.m. Matter concludes.

IT IS FURTHER ORDERED signing this Minute Entry as a formal written order of the Court pursuant to Rule 81, *Arizona Rules of Family Law Procedure*.

/ s / Sam J. Myers

HONORABLE SAM J. MYERS
SUPERIOR COURT JUDGE

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All parties representing themselves must keep the Court updated with address changes.
A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.